

[Counsel Listed on Signature Pages]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re JDS UNIPHASE CORPORATION
SECURITIES LITIGATION

Master File No. C-02-1486 CW (EDL)

This Document Relates To:

ALL ACTIONS

**STIPULATION AND ORDER
REGARDING NEUTRAL
DESCRIPTION OF THE LITIGATION**

1 WHEREAS, on October 9, 2007, the Court held a Pre-Trial Conference;

2 WHEREAS, the Court requested that the parties draft a short, neutral description of the
3 litigation.

4 IT IS HEREBY STIPULATED by and between the parties, through their counsel of
5 record, that the following statement may be read to potential jurors to inform them generally
6 about the litigation:

7 This is a lawsuit brought against JDS Uniphase Corporation
8 (referred to as JDSU) and four former executives: Kevin
9 Kalkhoven, Jozef Straus, Tony Muller, and Jay Abbe. The lawsuit
10 is brought by a fund on behalf of purchasers of JDSU stock
11 between April 25, 2000, and July 26, 2001. These stock purchasers
12 allege that the Defendants misled them about JDSU's business
13 prospects. They also allege that the four former executives sold
14 stock while knowing important, undisclosed negative information
about the Company's business. The Defendants contend that they
accurately described JDSU's performance and expectations, based
on the available information. The Defendants also contend that
they had no important, undisclosed, negative information about the
Company's business at the time they sold stock, and instead they
sold stock consistent with customary practices.

15 Dated: October 11, 2007

MORRISON & FOERSTER LLP

17 By: /s/ Philip T. Besirof

18 Philip T. Besirof

19 Attorneys for Defendants
20 JDS Uniphase Corporation, Jozef
21 Straus, Anthony R. Muller, and Charles
22 J. Abbe
23
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25
26
27
28

1 Dated: October 11, 2007

HELLER EHRMAN LLP

2
3 By: /s/ Michael L. Charlson

4 Michael L. Charlson

5 Attorneys for Defendant

Kevin Kalkhoven

6 Dated: October 11, 2007

LABATON SUCHAROW & RUDOFF LLP

7
8 BERMAN DEVALERIO PEASE TABACCO
BURT & PUCILLO

9
10 By: /s/ Barbara J. Hart

11 Barbara J. Hart

12 Liaison Counsel for Lead Plaintiff

13 Connecticut Retirement Plans and Trust
Funds

14 PURSUANT TO STIPULATION, IT IS SO ORDERED.

15 10/22/07

16 Dated: _____



17 _____
HONORABLE CLAUDIA WILKEN

18 United States District Court Judge

GENERAL ORDER 45 ATTESTATION

I, Philip Besirof, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Neutral Description of the Litigation. In compliance with General Order 45, X.B., I hereby attest that Barbara J. Hart, attorney for Plaintiffs, and Michael L. Charlson, attorney for Kevin Kalkhoven, have concurred in this filing.

Dated: October 11, 2007

By: /s/ Philip T. Besirof

Attorneys for the JDSU Defendants